

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MARVELLOUS KEENE,	: <i>DEATH PENALTY CASE</i>
Petitioner,	: Case No. C-1-00-421
vs.	: JUDGE BECKWITH
BETTY MITCHELL, WARDEN,	: MAGISTRATE JUDGE MERZ
Respondent.	: <i>No Execution Date Scheduled</i>

**PETITIONER'S MOTION FOR EXTENSION OF TIME TO SUBMIT OBJECTIONS
TO REPORT AND RECOMMENDATIONS**

Petitioner's counsel request that the current deadline, September 7, 2004, for his objections to the Court's Report and Recommendations (Doc. 96) be extended for a reasonable time, until September 27, 2004. A memorandum in support and proposed Entry are attached hereto.

MEMORANDUM IN SUPPORT OF MOTION

The objections deadline in this matter is current set for September 7, 2004. Petitioner respectfully requests a brief extension of time within which to submit objections.

On August 25, 2004, this Court issued a Report and Recommendations (Doc. 96) addressing Petitioner's 19 grounds for relief. An extension of time is necessary for Petitioner to fully address and adequately preserve all issues. Undersigned counsel are scheduled for depositions, trial preparation, and othe pressing matters the week of September 7, 2004 and thereafter. Thus, counsel requests a brief extension of time until September 27, 2004, within which to file objections.

During a telephone conversation with Assistant Attorney General Wille on August 31, 2004, Mr. Wille stated that he would not file any objection to this Motion.

Petitioner's counsel respectfully request that this Court grant a reasonable extension of twenty days, until September 27, 2004, to file objections.

Respectfully submitted,

/s/ John S. Marshall

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon Charles L. Wille,, Assistant Attorney General, Ohio Attorney General Betty D. Montgomery, Capital Crimes Section, 30 East Broad Street, 23rd Floor, Columbus, Ohio 43215-3428, cwille@ag.state.oh.us by ECF this 1st day of September 2004.

/s/ John S. Marshall

John S. Marshall

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